

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 07/05/2023

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STERLING AND WILSON SOLAR SOLUTIONS,	:	
INC.,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	23-CV-5711 (VEC)
	:	
	:	<u>ORDER</u>
JPMORGAN CHASE BANK, N.A.,	:	
	:	
Defendant.	:	
	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on July 5, 2023, the Court held a telephone conference on Plaintiff’s motion for a temporary restraining order (“TRO”), at which counsel for Lund Hill Solar, LLC (“Lund Hill”) appeared;

WHEREAS Plaintiff did not object to Lund Hill’s motion to intervene; and

WHEREAS all parties stipulated to staying the pending request for payment under the letter of credit numbered NUSCGS033842 (“the Letter of Credit”) issued by JPMorgan Chase Bank, N.A. (“Chase”), pending resolution of this matter.

IT IS HEREBY ORDERED that the temporary restraining order is DENIED as moot, and pursuant to the parties’ stipulation, Chase is enjoined from distributing any funds pursuant to the pending request for payment under the Letter of Credit until further order of the Court, which will not be before **July 19, 2023**.

IT IS FURTHER ORDERED that Lund Hill Solar, LLC’s motion to intervene is GRANTED.

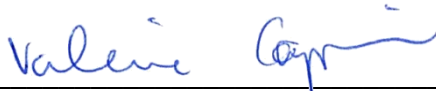
IT IS FURTHER ORDERED that Lund Hill Solar, LLC, must file any brief in opposition to Plaintiff's motion to enjoin preliminarily Chase from paying Lund's request to draw down the Letter of Credit by **July 10, 2023**. Plaintiff's response, as well as any response from Chase, is due by **July 17, 2023**.

IT IS FURTHER ORDERED that oral argument in this matter will be held on **Wednesday, July 19, 2023, at 2:30 P.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007.

IT IS FURTHER ORDERED that the parties are advised that they may jointly request, at any time, a referral to the Court-annexed mediation program or to the assigned magistrate judge (Willis, M.J.) for a settlement conference.

SO ORDERED.

Date: July 5, 2023
New York, NY



VALERIE CAPRONI
United States District Judge